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1 activities or even a decision made to focus the
2 surveys on smaller water users that were in
3 industries that may have been generating more
4 chemicals?
5 A. Like I said, as far as the surveys were
6 concerned -- who got what for the surveys had
7 nothing to do with me.
8 Q. I mean you were planning follow-up?
9 A. Certainly if the survey was there, I had
10 an obligation to follow-up.
11 Q. Your follow-up would be additional
12 surveys, not send out new ones?
13 A. No, that was the initial ones. In other
14 words, I would ask for a plant tour, and a lot of
15 the larger companies would take me through their
16 plant, there were certain areas I couldn't go into
17 for proprietary reasons, but most of the
18 industries were very compliant, if I went through
19 a plant and the plant was completely dry, if it
20 was just a warehouse, but they had 80 or 90 people
21 working there, then I could go back to the
22 authority and I surveyed the industry, but it's a
23 dry industry.
24 Q. And in the records of the surveys, are
25 your assessments of the various industries in like

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1 charge of coordinating the maintenance company,
2 the maintenance with this company?
3 A. Superintendent.
4 Q. And that was who?
5 A. Rafensburger or Mizek.
6 Q. There was an annual, the way I understood
7 it, an annual renew and repair, did you say that,
8 of the system?
9 A. Well, I believe 10 percent of the budget
10 was set aside for renewal and replacement.
11 Renewal could have been in the plant, the street,
12 could have been a pumping station. This was the
13 way it was explained to me, as long as 10 percent
14 of the budget was used for renewal and replacement
15 we met the bond requirements.
16 Q. Did you have much to do with the
17 maintenance of the lines?
18 A. No.
19 Q. The lines, the pumps and various things
20 that may have got the sewerage to the plant?
21 A. In the beginning I had no responsibility
22 with the plant or anything to do with the sewer
23 mains or anything. Only after I got my license
24 that I became superintendent.
25 Q. What year was that?

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1 what you just said, you surveyed an industry and
2 it was a dry industry, are they on record
3 somewhere?
4 A. I don't recall writing anything down on
5 the initial surveys, I basically just used them as
6 a guideline.
7 Q. Who was in charge during the time you
8 worked there of the maintenance of the system, the
9 sewerage system, I mean the pumping stations, the
10 sewer lines and all this thing?
11 A. Most of the maintenance was done by
12 outside maintenance, Municipal Maintenance.
13 Q. Are they still in business?
14 A. As far as I know.
15 Q. Do they do business with the municipal
16 authority, too?
17 A. Yes.
18 Q. Are they still involved with maintaining
19 the Pennsauken lines?
20 A. I don't know.
21 Q. Are they a local company?
22 A. Yes.
23 Q. During the time that you were at
24 Pennsauken, was there a person at Pennsauken, a
25 person in the sewerage authority, that was in

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1 A. I believe that was 1979, 1980, somewhere
2 around there.
3 Q. And is that through the State of New
4 Jersey?
5 A. Yes.
6 Q. Issued by the DEP?
7 A. You have to take a test, yeah, DEP.
8 Q. Did you involve yourself more in
9 maintenance at that point?
10 A. My main concern, up until towards the end,
11 I was name assistant superintendent, but my main
12 focus, 95 percent of the job was on the industrial
13 end. Basically I filled in for the superintendent
14 when he was on vacation and he was out of town.
15 If they had a problem and couldn't get a hold of
16 him, they called me.
17 Q. I understand. Was Mr. Rafensburger the
18 superintendent until you left?
19 A. No. I worked under the three
20 superintendents.
21 Q. Those three names you gave me during the
22 time you were there?
23 A. Right.
24 Q. As you understood it, and I know that you
25 have limited knowledge of it, and if you don't

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1 know, just say so, was that a contract under a
2 certain amount of dollars, you take care of
3 system, or they called the superintendents or
4 engineers and say we have a problem here and we
5 need an inspection of this line?
6 A. I don't know exactly how it works.
7 Q. And the engineers at the time was
8 Remington & Vernick?
9 A. Remington & Boyd.
10 Q. Which one of them -- there were two
11 engineering companies, you said there was another
12 one --
13 A. Remington & Boyd, then it became
14 Remington Vernick and Alaimo.
15 Q. Which one of them or both have been
16 involved in the maintenance of the sewer lines and
17 the pump stations and those types of things?
18 A. I don't know exactly -- as far as design?
19 Q. No.
20 A. As to doing the work to clean the sewer
21 lines out?
22 Q. Or what those sewer lines' condition was
23 from year-to-year?
24 A. Well, when I worked there they didn't have
25 a televised system. Sewer mains basically were

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1 through the mains to see what was coming in from
2 outside streams, but then the court came in and
3 said everybody is going to do it the same way.
4 Q. Did such a survey take place in Pennsauken
5 of their equipment, their lines?
6 A. There was an inflow, infiltration study,
7 sometime in the early '80s, I don't recall the
8 actual date.
9 Q. Was that undertaken by a company that you
10 know of?
11 A. I don't recall who did the work. It was
12 set up, I believe, by the engineering firm.
13 Q. And who paid for it?
14 A. The sewerage authority.
15 Q. Was there a particular engineer at
16 Remington & Vernick that worked with the sewerage
17 authority more than others during the time you
18 were there?
19 A. Most of the time I dealt with Leo
20 Holland.
21 Q. When you were with the sewerage authority,
22 was it organized, did it answer to the municipal
23 utilities authority? Did it answer directly to
24 the Pennsauken Township Council?
25 A. Pennsauken Sewerage Authority was an

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1 maintained if they were clogged or a blockage, we
2 would send a jet truck out, and they would clean
3 up the blockage, that would be the extent -- if a
4 main collapsed or something, then an engineer was
5 called in for design or whatever had to be done.
6 Q. During the time that you started there in
7 1977, was the Municipal Maintenance Company
8 involved at all?
9 A. As far as?
10 Q. As far as anything?
11 A. The Municipal Maintenance are required for
12 all the mechanical mains of the pumping station.
13 If there was construction work that had to be
14 done, that was done by somebody else. If the
15 sewer lateral broke or main broke, that wasn't
16 done by Municipal Maintenance.
17 Q. As far as detecting leaks in the sewer
18 line?
19 A. Leaks, back in those days there was very
20 little concern about leaks. As far as I know,
21 there was no survey done of the mains until maybe
22 1980, 1981, when a lot of lines were televised by
23 an outside concern, because at the time the CCMUA
24 bills would be predicated upon flow and strength.
25 A lot of towns went into infiltration to look

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1 autonomous organization, still is.
2 Q. Completely, during the time you were there
3 completely privately owned --
4 A. It was an authority.
5 Q. Answering to who?
6 A. The Authority. They set up the rates.
7 Q. The board of public utilities?
8 A. You're going way over my head.
9 MR. GARVEY: I'm trying to read what I
10 wrote, but if somebody has questions, go ahead and
11 do it.
12 BY MS. KELLY:
13 Q. Barbara Kelly. Did the Pennsauken
14 Sewerage Authority ever turn down any customers?
15 A. Not that I know of.
16 Q. Were there ever any customers where you
17 thought the Pennsauken Sewerage Authority could
18 not accept that waste?
19 A. The customers that were coming into the
20 sewerage system were long established customers
21 prior to my work there. Had I wished the
22 Authority was a little more stringent and forceful
23 with some of these industries, yes, but this just
24 wasn't going to happen.
25 Q. And what customers are you talking about,

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1 even if they were longstanding customers?
2 A. Well, Aluminum Shapes was number 1 on my
3 list.
4 Q. Was that because of chromium?
5 A. Chromium and oil levels.
6 Q. Was it hexivalent chromium?
7 A. Also total chromium.
8 Q. Were there any other customers high on
9 your list besides Aluminum Shapes?
10 A. Most of the other customers were organic,
11 BODs, CODs. Aluminum Shapes was top, number 1,
12 they were the largest customer. You could look at
13 the sewerage and know it was yellow. And it was
14 comparatively clear to rise stuff, which indicated
15 a lot of it came from the industrial.
16 Q. I have no further questions.
17 BY STACY COHEN:
18 Q. Good morning. I'm Stacy Cohen. I
19 represent SI Chrome in this matter. Who hired
20 you?
21 A. Pennsauken Sewerage Authority.
22 Q. Was there an individual who was involved
23 in your hiring directly?
24 A. I was interviewed by the superintendent,
25 Henry Rafensburger, the assistant superintendent,

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1 and I believe somewhere along the way they came up
2 with 117 industries. Where it came from, I don't
3 know.
4 Q. You discussed the discharge monitoring
5 reports. Were those kept the Authority --
6 A. I'm assuming they were.
7 Q. -- in the regular course? And did you
8 continue to keep those during your tenure while at
9 the Authority?
10 A. My responsibility when I was required to
11 do them, yes.
12 Q. Other than the typical inspection, the
13 monthly samplings, did you ever have any processes
14 for investigations outside of the normal
15 monitoring?
16 A. What do you mean?
17 Q. Okay, I believe you earlier testified
18 about the taffy like substance that came in at one
19 point, a resin from Osborn?
20 A. Right.
21 Q. There was a problem at the plant, did that
22 trigger any type of an investigation as to the
23 source of the problem?
24 A. I don't recall exactly what the outcome of
25 that was. I do they paid for some of the cleanup

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1 Terry Mizek, and the chairman of the board James
2 Merlino.
3 Q. And when you were hired, did any of those
4 individuals talk to you about assuming any of
5 their rolls with regard to the pre-treatment
6 program?
7 A. No.
8 Q. I believe you testified that the surveys
9 had already gone out. Do you have any
10 understanding as to who developed those surveys?
11 A. I would only be hazarding a guess. If you
12 want me to hazard a guess, I'll hazard a guess.
13 Q. Go ahead.
14 A. I don't know who per se had anything to do
15 with it, my guess would be based on my history
16 with the Authority, the engineering firm, the
17 lawyer, I don't think the superintendent really
18 had any dealings with it.
19 Q. And is it your understanding that those
20 surveys had gone out to all existing non-domestic
21 customers?
22 A. I believe at the time, at the time the
23 discharge monitoring reports -- at the bottom of
24 the report there was a list of commercial
25 customers, residential customers and industrials,

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1 because the stuff had to be removed by hand.
2 Q. I used that as an example as to one type
3 of an investigation, something out of the norm,
4 merely to find out if there was a process, if
5 there was some sort of a normal result or testing
6 at the plant for anyone at the Authority to
7 undertake any investigative efforts?
8 A. The, I set up 10 different locations, but
9 the reality of the situation was if you could
10 visibly see it, there was no real investigation.
11 Q. About the 3 distinct lines that came into
12 the --
13 A. Let me clarify that. You had 2 major
14 pumping stations, they were lines by them. There
15 was one line coming here, one line coming here.
16 There was an overlying area where they came
17 directly in, that's line 3, there could have been
18 5 or 6 different mains there, but they did not go
19 through a pumping station.
20 Q. I'll clump them together as a 3rd set that
21 didn't. Was there testing done independently at
22 all through those locations, or was the initial
23 testing at the plant after influent had been
24 commingled or brought together?
25 A. The only sampling that was done on a

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- 1 normally required basis n that plant, there was
2 Samplers set at the locations at the 2 pumping
3 stations, but unless something specifically showed
4 up, there was no normal testing procedure there.
5 Q. I believe you testified earlier in terms
6 of enforcement that the board, you had presented
7 findings to the board, to the commissioners, is
8 that correct?
9 A. Well, the way it actually worked, I would
10 contact the lawyer and the engineer. I would tell
11 then what I found. We would set up some kind of
12 process to bring it up at the monthly meetings.
13 If the lawyer felt or engineer felt we shouldn't
14 bring it up, then it wasn't brought up.
15 Q. When you say "the monthly meetings," were
16 these the meetings of the PSA?
17 A. Yes.
18 Q. And when you would give it to the
19 engineer, would that principally be Mr. Holland?
20 A. Yes.
21 Q. Was there a Mr. James Conway that you had
22 dealings with?
23 A. I believe he worked for Alaimo.
24 Q. And that was subsequent to Remington?
25 A. Yes.

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- 1 rebuilt.
2 Q. Do you know who was the contractor that
3 rebuilt those?
4 A. I don't know.
5 Q. Do you know if Remington was the
6 engineering firm?
7 A. I'm sure they were.
8 Q. Can you give me an approximate date?
9 A. It couldn't have been too long prior to my
10 hiring, because they had, they had tried to
11 utilize the methane gas to heat the plant instead
12 of using normal number 2 oil, and a lot of the
13 heaters were converted over, didn't last too long,
14 but they tried it.
15 Q. You discussed that it was your belief that
16 there was enough drying space or the beds were
17 insufficient for the capacity. What is your basis
18 for that statement?
19 A. The basis for the statement was we
20 couldn't remove the sludge out of the digesters
21 fast enough to keep the Clarifiers cleared up.
22 Q. These drying beds, how were they
23 constructed? If you know.
24 A. Just concrete and sand. The water filters
25 out, piped back to the plant, and obviously

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- 1 Q. Were there any notices of violation that
2 you would ever issue?
3 A. No.
4 Q. Or the Authority, did the Authority ever
5 issue any notice of violation?
6 A. No.
7 Q. So the enforcement was limited during your
8 tenure just to the surcharges?
9 A. That is correct.
10 Q. With regard to the digesters, I believe
11 you indicated that there were a couple of
12 instances of overload where CCMUA was called in to
13 pump them out. Was there any other instance when
14 there was an overload of the system that you can
15 recall in any of the other beds or system?
16 A. The CCMUA was called in after I became
17 acting superintendent because the other
18 superintendent got caught in a bind, that I
19 requested that we had to get a half million
20 gallons of sludge out so I could relieve the
21 primary digester. As far as loading, that was
22 always there, it was always high.
23 Q. What kind of work had been done on the
24 digesters before you came in?
25 A. As far as I know, they were totally

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- 1 evaporation takes care of the rest of it.
2 Q. I believe earlier you indicated that there
3 was a freeze on capital improvements by the
4 Authority at some point?
5 A. There was very little improvement anywhere
6 in the County. The County basically, because of
7 the CCMUA, everybody was supposed to join the
8 CCMUA, the State was reluctant to give out permits
9 to the commission to upgrade any place.
10 Q. Do you have a time frame for this period?
11 A. Well, I believe the EPA came into effect
12 in 1972, when they decided to go regional, my
13 guess is when I went to work at the sewerage
14 authority, so it had to be prior to 1977.
15 Q. Did this also affect the Authority's
16 decisions relative to upgrades and maintenance of
17 their lines?
18 A. No. Upgrades and maintenance, the lines
19 in the pumping station, the Pennsauken Sewerage
20 Authority is still responsible for that, not the
21 CCMUA.
22 Q. Was it your understanding that the
23 allotted 10 percent of the budget would be used
24 primarily then for the lines and the pumping
25 station?

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1 A. Who's designated for what and where, I
2 don't know who was responsible for that. What was
3 done, I really don't know.
4 Q. And the decisions relative to the budget
5 was then a subject of a monthly meeting?
6 A. The payment of bills that had to be passed
7 by the commissioners.
8 Q. When you went on the plant tours for the
9 industrial pre-treatment, how did you go about
10 undertaking these tours?
11 A. I basically went in, asked for somebody,
12 told them who I was, why I was there, if I could
13 take a look around.
14 Q. Did you ask to review any documents?
15 A. No.
16 Q. Did you ask, or were you provided any
17 drawings or maps of the plants?
18 A. No, not per se, no.
19 Q. Did the Authority have in its records maps
20 or diagrams of any of the customer's sewer lines?
21 A. Other than the mains, not that I know of.
22 Q. Was that part of the survey?
23 A. I believe, if my memory serves me correct,
24 they did ask for some type of drawings how they
25 were tied into the sewer system.

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1 can do with the lines.
2 Q. And the televising of the lines as a
3 regular program, when did that come on?
4 A. After I left.
5 Q. Do you know what firm or what entity was
6 hired to do the televising after you left?
7 A. An outside concern came in for the inflow
8 and infiltration structure, that was done by
9 somebody else. I'm not sure who that went
10 through, they set it up. As far as I know, the
11 televising and everything that goes on nowadays is
12 done by the people that work there. The Authority
13 went out and bought its own televising equipment.
14 That was not during my term.
15 Q. When you assumed the position of assistant
16 superintendent, did you have any responsibilities
17 with regard to review of any of the sludge quality
18 reports?
19 A. What sludge reports are you talking
20 about?
21 Q. With regard to the plant.
22 A. As far as I know, there was no actual
23 testing of the sludge at the plant.
24 Q. Then let's step back. What would be the
25 source of the sludge that you would test?

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1 Q. Did they remain at the Authority?
2 A. Yes. Everything from the main back was the
3 responsibility of the customer.
4 Q. Who was in charge of all the record
5 keeping for the pre-treatment program during your
6 tenure?
7 A. Me.
8 Q. And were these to be part of the permanent
9 customer files?
10 A. I don't exactly know what you mean by
11 permanent customer file. I kept everything myself
12 to cover my rear end. When I left, they stayed
13 there.
14 Q. I believe you used the term "sporadic" for
15 the sampling of metals. What does sporadic mean
16 to you?
17 A. Sporadic at the plant, once every few
18 months, nothing -- I would receive background
19 data.
20 Q. That was not part of a permit requirement?
21 A. No.
22 Q. Is it accurate, as far as maintenance, the
23 full extent of maintenance was on an as needed
24 basis with regard to the lines?
25 A. Yeah. Basically there's not too much you

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1 A. Testing was done at the head of the plant
2 and at the end of the plant. Let's say if I would
3 have a problem, why I'm not getting 25 or 30
4 percent BOD removal from my primary tanks, at
5 that point I might take a sample, but on a normal
6 basis it's just the influent and effluent.
7 Q. When you assumed the role as assistant
8 superintendent, did you have any, any
9 communication responsibilities with the DEP?
10 A. On occasion, yes.
11 Q. Okay. And what bureau or department?
12 A. Enforcement, there was a couple guys, Rudy
13 Ricardi, Dennis Palmer, and on occasion I would
14 talk to James Hamilton. Those occasions were few
15 and far between.
16 Q. What did you understand the positions of
17 those three individuals to be?
18 A. I believe Ricardi was an Enforcement
19 officer, he's the one I dealt with the most. He
20 would come, he would want someone from the
21 sewerage authority to go around with him even for
22 problems that weren't related to the sewerage
23 authority, to have someone from the Township with
24 him. And for a while we did it, and basically
25 then we told him he had to get somebody else.